

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 11/5/2013	(3) CONTACT/PHONE Brian Pedrotti, Planner III / 805-788-2788	
(4) SUBJECT Request to consider a resolution to waive permit processing fees for construction permits associated with a new community park focusing on universal accessibility proposed by Jack's Helping Hand for property at the south end of Illinois Way along the Nipomo Mesa bluff in Nipomo. District 4			
(5) RECOMMENDED ACTION Adopt and direct chairperson to sign the resolution approving the request to waive permit processing fees for various construction permits associated with a new community park proposed by Jack's Helping Hand focusing on universal accessibility, based upon the findings in Exhibit "A".			
(6) FUNDING SOURCE(S) General Fund if fee waived	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input type="checkbox"/> Consent <input type="checkbox"/> Presentation <input checked="" type="checkbox"/> Hearing (Time Est. <u>30 min.</u> ) <input type="checkbox"/> Board Business (Time Est. <u>    </u> )			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A    Date: <u>                </u>	
(17) ADMINISTRATIVE OFFICE REVIEW			
(18) SUPERVISOR DISTRICT(S) District 4			

# County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Brian Pedrotti, Planner III

VIA: Nancy Orton, Division Manager, Current Planning

DATE: 11/5/2013

SUBJECT: Request to waive permit processing fees for construction permits associated with a new community park focusing on universal accessibility proposed by Jack's Helping Hand for property at the south end of Illinois Way along the Nipomo Mesa bluff in Nipomo. District 4

## **RECOMMENDATION**

Adopt and direct chairperson to sign the resolution approving the request to waive permit processing fees for various construction permits associated with a new community park proposed by Jack's Helping Hand focusing on universal accessibility, based upon the findings in Exhibit "A".

## **DISCUSSION**

### Request

Jack's Helping Hand, a California Non-Profit Corporation, is applying for a waiver of permit processing fees for various construction permits associated with a new community park focusing on universal accessibility. The property is located at the south end of Illinois Way along the Nipomo Mesa bluff, southwest of the community of Nipomo, in the South County (Inland) planning area. The site is 30 acres in size and is in the Public Facility land use category.

The construction permit fees total \$17,000.00. This includes estimated fees for several construction projects as follows:

- Park bathroom
- Barbecue shelter with trash enclosure
- Septic system
- Well
- 30,000 square-foot covered horse arena
- Water tank
- Playground area and equipment

### Non-Profit

Jack's Helping Hand is a non-profit organization dedicated to helping children with disabilities. As described on their website, their mission is to *"establish and provide community programs that enable and empower families, professionals and the broader community to meet the unique unmet physical, mental, and medical needs of special children and young adults who have not attained the age of twenty-one."* Services provided by Jack's Helping Hand include providing special treatments, services, equipment and transportation to children with illnesses and disabilities that are not provided by other sources; or which exceed family financial capability.

### Justification and History

Several actions/permits have already been initiated to develop the park. A General Plan Amendment (LRP2009-00003) was approved by the Board of Supervisors in December 2010 to change the land use category on the site from Agriculture to Public Facilities. Subsequently, the Planning Commission approved a Conditional Use Permit (DRC2009-00062) for the park on April 4, 2011. The applicant is now in the process of requesting permits to grade the site and construct some of the park amenities.

Jack's Helping Hand is asking for the fee waivers based upon providing a public benefit to the County. They state that the proposed universally accessible park and playground meets a need recognized in the Parks and Recreation Element, and is a use not otherwise available in the County. The park is being developed and maintained at no expense to the County, with the help of generous donations from local businesses and individuals. In addition, the park will be available to the public at large with no access fee, and will create outdoor recreational opportunities for all children in the community.

Staff acknowledges that the use has a public benefit. The proposed park is intended to be open to the general public for active recreational opportunities, and the amenities will be universally accessible, available to children with and without disabilities. This would be a unique park, and the only one of its kind in both San Luis Obispo and many surrounding counties. The Director of Planning and Building can waive fees up to \$5,000 pursuant to footnote 4 of the Planning and Building Department fee schedule (See attached Exhibit B).

The Board of Supervisors, at their meeting on April 10, 2010 approved a waiver of the land use permit fees totaling \$18,843.00, which included the General Plan Amendment and Conditional Use Permit processing fees. In addition, the Planning and Building Department has waived land use permit fees totaling \$5,000.00 for the project. Since the project has already exceeded the original \$5,000.00 administrative fee waiver, any current and future permit processing fees can only be waived by the Board of Supervisors.

#### **OTHER AGENCY INVOLVEMENT/IMPACT**

General Services, Public Works, County Sheriff and Cal Fire provided input on the park's land use permit approval.

#### **FINANCIAL CONSIDERATIONS**

The permit processing fees, including all anticipated construction permits, total \$17,000.00.

#### **RESULTS**

Approving the waiver of permit processing fees would result in processing of various construction permits associated with a new community park that would have a public benefit. Denying the waiver of permit processing fees would result in the applicant providing the necessary funds to process these permits.

#### **ATTACHMENTS**

Attachment 1 - Vicinity Map  
Attachment 2 - Land Use Category Map  
Attachment 3 - Resolution  
Attachment 4 - Findings